

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 08-0730 WHA

Plaintiff,

v.

**ORDER REQUESTING  
GOVERNMENT RESPONSE  
RE ATTACHMENT TO 80  
FOREST GROVE WARRANT**

MORIS FLORES, *et al.*

Defendants.

In support of his motion to suppress evidence seized from 80 Forest Grove in Daly City, Mr. Flores submitted a copy of the search warrant at issue, as provided to him by the government (Dkt. No. 2000-1 at 3). The search warrant specified that “Exhibit A” was incorporated by reference and attached (*ibid.*). No such exhibit, however, was attached to Mr. Flores’ submission (*ibid.*). Accordingly, an order was issued requesting that counsel for Mr. Flores file a copy of the exhibit, or a declaration specifying why it would not be possible to do so (Dkt. No. 2176). In response, counsel for Mr. Flores submitted a declaration stating his belief that the exhibit was not a separate document attached the search warrant (Dkt. No. 2179). Instead, counsel for Mr. Flores conjectured that the exhibit was included in the text of the search warrant itself and the reference to it being incorporated and attached was form language that was inadvertently left in the search warrant (*ibid.*).

The government must please submit a declaration by **THURSDAY, SEPTEMBER 9** at **NOON**, verifying whether “Exhibit A” was a separate attachment to the search warrant, or simply text

1 included in the warrant itself. If the government cannot offer such verification, please explain  
2 why not. If the government asserts that there was an exhibit attached to the search warrant, the  
3 government must file a copy of it with its declaration.

4  
5 **IT IS SO ORDERED.**

6  
7 Dated: September 3, 2010.

  
\_\_\_\_\_  
WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE